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June 21, 2005

Mary L. Cottrell, Secretary
Department of Telecommunications and Energy
One South Station, 2nd Floor
Boston, MA 02110

Re: Bay State Gas Company, D.T.E 05-27

Dear Ms. Cottrell:

Enclosed is the Joint Motion of Bay State Gas Company and MASSCAP *et al.*

Very truly yours,

Robert L. Dewees, Jr.

RLD/gs
Enclosure

cc: Caroline M. Bulger, Hearing Officer (1 copy)
A. John Sullivan, Rates and Revenue Requirements Division (7 copies)
Andreas Thanos, Assistant Director, Gas Division (1 copy)
Alexander J. Cochis, Assistant Attorney General (4 copies)
Paul R. Osborne, Assistant Director, Rates and Revenue Requirements Division (1 copy)
Service List

**THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

_____)
Petition of Bay State Gas Company)
For Approval of Revised Tariffs)
And Other Rate Modifications)
_____)

D.T.E. 05-27

**JOINT MOTION
OF BAY STATE GAS COMPANY AND MASSCAP *ET AL.*
TO RESET DISCOVERY DEADLINE TO JUNE 24, 2005**

Bay State Gas Company (“the Company”) and MASSCAP *et al.* (“MASSCAP”) move that the Hearing Officer reset the deadline for MASSCAP’s discovery to June 24, 2005 and state in support as follows:

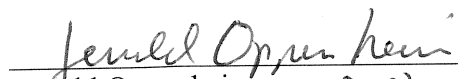
1. The Company and MASSCAP have been negotiating at the highest levels for several months. If the negotiations are successful, they would resolve issues between MASSCAP and the Company in this case and MASSCAP would withdraw from active participation in this case.
2. The Company and MASSCAP reached a tentative agreement after business hours last Friday, June 17, 2005, subject to final review of both parties and preparation of definitive documents. The final review is scheduled to occur early this week, to be immediately followed by preparation of definitive documents.
3. MASSCAP is prepared to file discovery on June 22 absent the grant of this Motion. If this Motion is timely granted, and the Company and MASSCAP proceed this week to their intended settlement, then MASSCAP would file no further discovery in this case.
4. The Company and MASSCAP acknowledge that MASSCAP’s filing of discovery could have an adverse impact on the final negotiation of their agreement.
5. If MASSCAP files discovery, and the negotiations fail, there will be considerably more litigation in this docket than if the Company and MASSCAP are allowed to resolve their differences through settlement. In addition to discovery, for example, in the absence of settlement MASSCAP plans to sponsor up to 15 witnesses in this case.

6. Granting this motion will harm no other party to this case, will promote the Department's policy of encouraging settlement of disputes, and will lead to a more efficient handling of this case.

WHEREFORE Bay State Gas Company and MASSCAP *et al.* move that the Hearing Officer reset the deadline for MASSCAP's discovery to June 24, 2005.

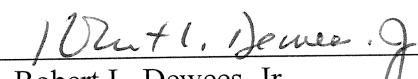
Respectfully submitted,

MASSCAP *et al.*
By their attorney,



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BAY STATE GAS COMPANY
By its attorney,



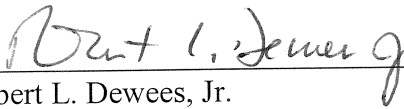
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Dated: June 21, 2005

CERTIFICATION

I certify that I served today a copy of the attached Joint Motion of Bay State Gas Company and MASSCAP by hand delivery, first class mail, postage prepaid, or electronically on the Department of Telecommunications and Energy and all parties on the service list on file with the Secretary of the Department of Telecommunications and Energy for this proceeding.

Dated at Boston, Massachusetts this 21st day of June, 2005



Robert L. Dewees, Jr.